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Attorney for Plaintiff,
JERMAINE MONTIEL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERMAINE MONTIEL,

Plaintiff,

vs.

OFFICER M. WILLIAMS, Badge No.
3751; SERGEANT C. SHEPPARD,
Badge No.. 3125; OFFICER
HERNANDEZ, Badge No.. 3898;
OFFICER RODRIGUEZ, Badge No..
3087; JOHN DOE and RICHARD ROE;
ROBERT DAVIS; CITY OF SAN JOSE,

Defendants.

CASE NO.: C07-05490 JF

**STIPULATION TO CONTINUE
TRIAL AND RELATED DATES;
AND [PROPOSED] ORDER**

Trial Date: May 3, 2010
Judge: Hon. Jeremy Fogel
Courtroom: 3

The parties to this action, by and through their attorneys of record, Michael Groves for
Defendants and Anthony Boskovich for Plaintiff, hereby stipulate as follows:

1 This case is currently set for trial on May 3, 2010. When that date was set, the
2 California League of Cities Spring City Attorney Conference had yet to be firmly scheduled.
3 The conference was subsequently set for the same week the trial is currently scheduled for.
4 This is a very important conference for Defendants' attorney, Michael R. Groves, to attend for
5 professional and MCLE purposes. Apparently the Court's schedule will also be occupied
6 during that week with a lengthy trial which begins in late February, 2010. Plaintiff's attorney,
7 Anthony Boskovich, has graciously agreed to a change in the trial date.

8 In light of this, the parties hereby stipulate to continue the trial date and related pretrial
9 dates and seek the Court's approval for the same.

10 The current trial and pretrial dates are as follows:

11	Expert Disclosures due:	February 22, 2010
12	Close of Fact Discovery:	March 8, 2010
13	Close of Expert Discovery:	March 15, 2010
14	Pre-Trial Conference:	April 23, 2010 at 11:00 am
15	Jury Selection:	April 30, 2010
16	Jury Trial:	May 3, 2010

17 The parties seek the following new schedule:

18	Expert Disclosures due:	July 9, 2010
19	Close of Fact Discovery:	July 23, 2010
20	Close of Expert Discovery:	July 30, 2010
21	Pre-Trial Conference:	September 17, 2010 at 11:00 am
22	Jury Selection:	September 24, 2010
23	Jury Trial:	September 27, 2010

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BOSKOVICH & APPLETON

Dated: February 11, 2010

/s/ Anthony Boskovich
ANTHONY BOSKOVICH
Attorney at Law

Attorney for Plaintiff,
JERMAINE MONTIEL

Dated: February 11, 2010

RICHARD DOYLE, City Attorney

By: /s/ Michael R. Groves
MICHAEL R. GROVES
Sr. Deputy City Attorney

Attorney for Defendants,
CITY OF SAN JOSE, ROBERT DAVIS,
OFFICER MATTHEW WILLIAMS,
SERGEANT CARLTON SHEPPARD,
OFFICER JUAN HERNANDEZ, and
OFFICER GERARDO RODRIGUEZ

ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:


I attest that concurrence in the filing of this document by the signatories, Michael Groves and Anthony Boskovich, has been obtained, and that a record of the concurrence shall be maintained at the Office of the City Attorney.

Dated: February 11, 2010

By: /s/ Michael R. Groves
MICHAEL R. GROVES

IT IS SO ORDERED.

Dated: 2/22/10


HON. JEREMY FOGEL
United States District Court Judge